to 1 acre of sugarcane; that is, perennial crops other than sugarcane and hot-weather crops may be allowed up to half the area of the plot entered in column 6. If a perennial crop fails any other crop may be grown on the same area till the commencement of the following year.

(3) On the remainder of the area on which sugarcane or other perennial crops are not allowed to be grown, water will be given for irrigation for about 8 months, that is, from the commencement of the monsoon till end of February following. There will be no irrigation on this area either from canal or wells between the 1st March and the commencement of the following monsoon.

5. Water-rate shall be payable so long as water is available for the whole period of six years, whether a plot is irrigated or not. If in any particular year, an applicant is unable to irrigate his entire plot, he should apply for an exemption of rate before 15th November, that is, two months before the commencement of the year to which the application for exemption relates.

6. The permit given for any plot will be liable to cancellation by the Divisional Canal Officer—

(*a*) if after the lapse of one month from the latest date allowed for payment, the water-rates due on this application are in arrears;

(*b*) if water supplied for irrigating the land mentioned on the application is habitually wasted or misused, it being expressly understood that water is supplied for the sole purpose of irrigating the land mentioned in the application;

(*c*) in the event of any breach of any of the conditions specified in Note 4 above.

7. The year is reckoned as commencing from 16th January.

APPENDIX I-C.

ABSTRACT OF APPLICATIONS FOR SUPPLY OF WATER FOR IRRIGATION IN BLOCKS FOR YEARS COMMENCING FROM

No._____

_____ Canal.

_____ Village.

Number of application.	Number of block in village	Plot Number.	Mile of canal.	Distributing channel Number.	Survey Number.	Area of plot to be irrigated.		Water-rate per acre per annum.		Registered occupant or holder.	Applicant.	Persons other than the applicant, if any, responsible for payment of water-rate.
						Acres.	Gunthas.	Rs.	a.			
1	2	3	4	5	6	7		8		9	10	11

Dated _____ Dated _____

Sub-Divisional Officer. Executive Engineer,

_____ District.

Dated _____

Countersigned.

Superintending Engineer,

_____ Division.

RULES FOR THE ADMINISTRATION OF CANALS IN THE BOMBAY PRESIDENCY. (RULES 15 TO END).

(1)*Notn. No. 1, Public Works, dated 8th January 1881, B. G. G., 1881, Pt. I, p. 10.*

Under Section 70 of the Bombay Irrigation Act, 1879, the Right Honourable the Governor in Council is pleased to make the following Rules for the administration of Canals in the Bombay Presidency :—

In exercise of the power conferred by the Bombay Irrigation Act, 1879, the Governor in Council is pleased to make the following Rules for the administration of Canals in the Bombay Presidency :—

[a] * * * * * [a]

Provisions applicable to supply from escape channels.

15. The same provisions shall apply to irrigation from escape channels as to irrigation from other parts of a canal.

(1) As amended by Notification No. 75, Public Works, dated 4th October 1887, *B. G. G.*, 1887, Part I, page 837.

[a—a] This portion has been omitted, as Revised Rules 1 to 14 for the administration of canals in the Bombay Presidency, in substitution of the original ones have since been made, *vide* Notification No. 2, Public Works, dated 15th November 1904, *B. G. G.*, printed at page 581, *supra*.

Rate leviable for such supply.

When the supply of water from any such channel lasts continuously throughout the period for which it is required for use, the same rates shall be levied as for a supply from the canal. When the supply is intermittent, such reduced rates shall be charged as may be fixed in each particular case under the orders of Government.

Rate leviable for supply of water obtained without permission.

16. If a supply of water is obtained by any person from a canal for the purpose of irrigation without the previous permission of the Executive Engineer of the District, the rates chargeable for such water shall be double the rate chargeable for the authorized irrigation of the area irrigated, and this rate shall be leviable in addition to any penalty which may be imposed under the Act.

Rate leviable for supply of water for forming threshing floors.

17. Water may be given for the purpose of forming threshing-floors free to holders of canal-irrigated fields and to others at a charge per floor not exceeding half the lowest acreage rate.

[a] 17A. In the case of cultivation other than perennial cultivation, where permission has been given to irrigate a specified area in accordance with an application made under rule I, the applicant may, at his discretion and risk, use the water supplied for such area for the irrigation of an area in excess of that so specified; but such use will not entitle him to an increased supply of water or to any remission of water-rate on account of any failure of crop due to such extended use. The rate chargeable for the area specified in the application shall be leviable for such excess area.

Water-supply Rates for Non-irrigational Purposes.

For non-irrigational purposes, rates will be charged for by volume or otherwise.

18. Water supplied from a canal for any purpose other than irrigation will be charged for by volume or otherwise at such rate as Government shall from time to time determinne.

IV.—Occasional Rates.

Charge to be imposed when water supplied through a water-course is unauthorizedly used.

[b] 19. The charge to be made under Section 45 on account of water supplied through a water-course used in an unauthorized manner shall be as follows (namely):—

(*a*) in Sind:

(*i*) if the water so used has flowed on any land — a sum calculated at such rate per acre or portion of an acre of the land over which the water has flowed as the Collector shall fix, the same not exceeding double the highest rate of assessment leviable in respect of cultivated land in the vicinity;

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[a] This rule was inserted by G. N. No 1, Public Works, dated 1st February 1909, *B. G. G.*, 1909, Part I, page 208.

[b] New rules were substituted for the original Rules 19 and 20 by G. N. No. 14, Public Works, dated 27th September 1892, *B. G. G.*, 1892, Part I, page 986.

(*b*) Elsewhere:

(*i*) if the water so used has flowed on any land and such land has derived benefit therefrom	double the highest rate leviable for a single crop;
(*ii*) if the water has flowed on any land, but such land has not derived benefit therefrom	double the rate that would be chargeable under Rule 9;
(*iii*) in any other case	double the rate chargeable under Rule 18 on the volume of water estimated by the Executive Engineer for Irrigation to have been used.

The above charges will be leviable in addition to any penalty which may be imposed under the Act on the person who unauthorizedly used the water.

Charge to be imposed when water supplied through a water-course is suffered to run to waste.

[a] 20. The charge to be made under Section 46 on account of water supplied through a water-course which is suffered to run to waste shall be as follows (namely):—

(*a*) in Sind:

(*i*) if the water has flowed on any land	a sum calculated at such rate per acre or portion of an acre of the land over which the water has flowed as the Collector shall fix, the same not exceeding double the highest rate of assessment leviable in respect of cultivated land in the vicinity;

(*b*) elsewhere:

(*i*) if the water has flowed on any land	double the rate that would be chargeable under Rule 9;
(*ii*) in any other case	double the rate chargeable under Rule 18 on the volume of water estimated by the Executive Engineer for Irrigation to have been wasted.

Cases in which remissions may be granted.

[b] 21. (*1*) Remission of the whole or a part of the water-rate payable by any person may be granted where such person has suffered loss

(*a*) from any stoppage, diminution or increase of his water-supply due to any of the causes named in clause (*d*) of Section 31 or to any act or ommission of a canal officer not provided for in the said clause, or

(*b*) from failure of his crops due to any local or general calamity where the failure is total or the outturn does not exceed one-quarter of the normal crop.

[a] New rules were substituted for the original Rules 19 and 20 by G. N. No. 14, Public Works, dated 27th September 1892, *B. G. G.*, 1892, Part I, page 986.

[b] New rules were substituted for the original Rules 21 to 26 (both inclusive) by G. N. No. 1, Public Works, dated 30th May 1908, *B. G. G.*, 1908, Part I, page 450.

(2) All excess charges on account of water-rates shall be remitted.

Authority by whom remissions may be granted.

[a] 22. Remissions under rule 21 of these rules may be granted by the Superintending Engineer or within such limit as may be fixed by the Superintending Engineer by any Executive Engineer for Irrigation specially empowered in this behalf by the Superintending Engineer.

Manner of preferring claims.

[a] 23. Claims for remissions under sub-rule (1) of rule 21 shall be preferred to the Executive Engineer for Irrigation of the Division direct; and if not so preferred within one month from the time when the damage in respect of which the remission claimed is alleged to have occurred, shall not be entertained. If, without giving the Executive Engineer at least seven days' notice in writing of his intention, the claimant cuts the crop alleged to have been damaged at any time within 20 days after preferring his application, his claim shall not be entertained.

Inquiry and disposal.

[a] 24. If the application be preferred within the period prescribed by the last rule the Executive Engineer shall, within 20 days after the date of its receipt or within the period of the notice, if any, given to him under the said rule make or cause to be made a local enquiry, at which he or any person acting under his special order in this behalf shall be present, and the result of which shall be recorded on the application. Unless the Executive Engineer has been specially empowered under rule 22 of these rules to dispose of the application himself, the application shall then be forwarded to the Superintending Engineer for disposal.

The order passed on the application shall be communicated to the applicant by the Executive Engineer.

Claims regarding excess charges.

[a] 25. Any claim for remissions under sub-rule (2) of rule 21 of these rules may be preferred direct or through the Collector to the Executive Engineer for Irrigation who unless he has been specially empowered under rule 22 of these rules to dispose of the claim himself, shall forward the application with his opinion to the Superintending Engineer for disposal.

Intimation of remissions.

[a] 26. Intimation of any remissions granted under rule 22 of these rules shall be given by or through the Superintending Engineer, as the case may be, to the Examiner of Public Works Accounts and where the remission is granted by the Superintending Engineer to the Executive Engineer for Irrigation in statements prepared in the form of Appendix No. II.

The Executive Engineer for Irrigation shall keep a register of all authorized deductions from water-rates in the same form.

VI.—Recovery of Dues.

Return of measurements and assessments to be prepared.

27. A return of measurements and assessments in the form of Appendix No. III shall be prepared by such subordinate canal officer as shall from time to time be deputed to this duty by the Executive Engineer of the District and submitted to the Executive Engineer, who, with the aid of his establishment, shall test at least 10 per cent. of the measured areas.

[a] New rules were substituted for the original Rules 21 to 26 (both inclusive) by G. N. No. 1, Public Works, dated 30th May 1908, *B. G. G.*, 1908, Part I, page 450.

28. The Executive Engineer shall from the Register and Return Nos. II and III frame a statement of demands for water-rates according to the form of Appendix No. IV, which he shall forward, together with copies of the Register No. II and of the Return No. III, to the Collector. This statement shall be rendered on 15th December for *kharif* and on 1st April [a] for *rabi*.

Statement of demands to be rendered to the Collector.

[b] The security bonds, if any, taken under Rule 3 A, shall accompany the statement, and the names of the sureties and the dates of the bonds respectively, executed by them, shall be entered in the last column of Return No. III. [b]

29. On receipt of the demand statement the Collector shall issue instructions for the recovery of the amounts therein named from the persons respectively liable for the same.

Collector to issue instructions for recovery of demands.

The rates for *kharif* shall be payable on the 1st February and those for *rabi* on the 15th April. [a] They shall be payable, each in one instalment, to the revenue officers to whom the land revenue is payable by persons holding land in the villages in which the persons liable therefor respectively reside.

Rates when and to whom payable.

30. If any objection is raised before the Collector, or any of his subordinates, as to any entry in the said statement, such objections shall be forwarded by the Collector, through the Executive Engineer of the District, to the Superintending Engineer for disposal under Rule 24, if it has reference to some action on the part of the Public Works Department; otherwise it shall be disposed of by the Collector, or, subject to the law and rules in force relating to the recovery of arrears of land revenue, by his subordinates.

Objections to entries in the statement how to be disposed of.

If the decision of any such objection by the Collector, or any of his subordinates, results in the remission of any portion of any charge entered in the demand statement, the result shall be communicated by the Collector to the Executive Engineer of the District and shall also be shown in the Return No. VII to be submitted, under Rule 37, to the Examiner of Public Works Accounts.

If in consequence of objection, Collector remits any portion of a demand, his order to be communicated to Executive Engineer.

Appeals.

31. Every order passed by an Executive Engineer under Rule 13 or 14 shall be appealable to the Collector, and every order passed by any such officer under Rules 19 or 20 shall be appealable to the Superintending Engineer: Provided always that the appeal be presented within thirty days of the date on which the order appealed against was communicated to the appellant.

Appeals against orders under Rules 13, 14, 19 and 20.

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[a] The word 'April' was substituted for the word 'June' by G. N. No. 1, Public Works, dated 13th August 1907, *B. G. G.*, 1907, Part I, page 1347.

[b—b] This paragraph was added by G. N. No. 16, Public Works, dated 25th October 1892, *B. G. G.*, 1892, Part I, page 1065.

Manner of preferring appeals.

32. All appeals preferred under the Act or under these rules must be made by written petition signed by the appellant. Such petition may be delivered at the office of the authority appealed to by the appellant in person during office hours, or be forwarded through the post.

Miscellaneous.

Free grants of water-supply.

33. Applications for free grants of water-supply shall be referred for the orders of Government in the Public Works Department, and no such grant shall be made without the previous sanction of Government.

Readings of water-gauges and meters set up by Public Works Department to be accepted as authoritative.

34. In cases of dispute regarding water-supply, or remission, or abatement of water-rate, the water-gauges and meters set up by the Public Works Department shall, if certified by the Executive Engineer of the District to have been in good order during the period to which the dispute relates, be held to furnish authoritative data for all calculations of discharge.

Certain acts forbidden to canal officers, &c.

35. No canal officer, or other officer or subordinate in the Public Works Department shall

(1) acquire, directly or indirectly, any share or interest in the distribution of water from any canal; or,

(2) purchase, or bid, either in person or by agent, or in his own name or in the name of another or jointly or in shares with others, for any Government property in, on, or appertaining to any canal.

Breach of this rule shall be punishable with a penalty under Section 61, clause (9) of the Act.

Passing of persons, animals or vehicles in or across canals.

[a] 35 A. (1) The passing of any person or of any animal or vehicle in or across any bank or channel of a canal is prohibited at any place within such distance not exceeding —— yards above or below a bridge or crossing expressly provided for this purpose or above or below a post set up by the Canal Officer in a conspicuous position in this behalf, as shall be indicated by the Canal Officer in a notice affixed to such bridge, crossing or post.

(2) In setting up posts and fixing distances under clause (1), the Canal Officer shall have careful regard—

(*a*)—to the necessity for preserving the canal and its embankments at points where they would be likely to be endangered or damaged by the passing of persons, animals or vehicles therein or thereacross;

(*b*)—to the reasonable convenience of the people residing or holding land in the vicinity who require to cross the canal or to water their animals.—

[a] This rule was added by G. N. No. 17, Public Works, dated 25th October 1892. *B. G. G.*, 1892, Part I, page 1065.

Returns, &c.

Annual Returns Nos. V and VI.

36. The Executive Engineer shall furnish an annual return, for *kharif* and *rabi* respectively, as per form of Appendix No. V, to the Superintending Engineer and to the Examiner of Public Works Accounts on the same dates on which the statement of demands (No. IV) is sent, under Rule 28, to the Collector. He shall also furnish the Superintending Engineer and the Examiner of Public Works Accounts with a general return, as per form of Appendix No. VI, on the 15th April of each year.

Annual Return No. VII.

37. The Collector shall furnish the Superintending Engineer, through the Executive Engineer of the District and the Examiner of Public Works Accounts, with annual returns in the form of Appendix No. VII for *kharif* and *rabi* separately, on the 15th April of each year, showing the water-rates and miscellaneous revenue assessed and realized in the Civil Department.

Annual Return No. VIII.

38. When separate water-rates have not been fixed by Government, but a consolidated soil and water-rate is levied, the Collector shall furnish the Superintending Engineer through the Executive Engineer of the District and the Examiner of Public Works Accounts, with an annual general return of consolidated revenue in the form of Appendix No. VIII as soon after the close of the revenue year as possible.

Annual Return No. IX.

39. The Collectors in Sind shall furnish the Superintending Engineer in Sind and the Examiner of Public Works Accounts, on 15th April of each year, with return in the form of Appendix No. IX for *kharif* and *rabi* respectively, of receipts from "*haccaba*" on jaghir lands, and of miscellaneous receipts from canals; and the Collectors in Gujarát and the Deccan shall furnish similar returns in cases where separate water-rates are recovered as per Survey Register and credited to Government in the Public Works Department.

[a] 40. Nothing in the foregoing Rules 1 to 6 (both inclusive), 8 to 15 (both inclusive), 17, 21 to 32, (both inclusive), applies to the Province of Sind. [a]

[a-a] This rule was substituted for Rule 40 by G. N. No. 14, Public Works, dated 27th September 1892, *B. G. G.*, 1892, Part I, page 986.